NO. 86203-6

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

JAMAR MANEESE,

Appellant.

RESPONDENT'S CONSOLIDATED ANSWER TO FOUR AMICUS CURIAE BRIEFS

DANIEL T. SATTERBERG
King County Prosecuting Attorney

WILLIAM L. DOYLE
Senior Deputy Prosecuting Attorney

JAMES M. WHISMAN
Senior Deputy Prosecuting Attorney
Attorneys for Respondent

King County Prosecuting Attorney
W554 King County Courthouse
516 3rd Avenue
Seattle, Washington 98104
(206) 296-9000

TABLE OF CONTENTS

Page

TABLE OF AUTHORITIES

Page

Table of Cases

Constitutional Provisions

Statutes

Rules and Regulations

Washington State:

Other Authorities

A. INTRODUCTION

Four amicus briefs on behalf of five amici were filed in this case 30 days before oral argument as permitted by the rules of appellate procedure.[1] The State consolidates its responses to the four briefs in this single brief.

Washington courts, including this Court, have held that searches of students by school officials need be supported only by reasonable grounds, not probable cause, because students have a lowered expectation of privacy and because of the strong need to maintain order and safety in schools. The five amici now argue that commissioned school resource officers (SROs) should never be allowed to conduct or assist in a school search unless the search is supported by probable cause. These arguments are flawed and should be rejected. First, the amici rely on a great deal of questionable extra-record material to support their arguments. This reliance is problematic given its late arrival, its often-questionable relevance, and the inability of this Court or the State to meaningfully evaluate the material. The reliance on extra-record material also violates, in some instances, the rules of appellate procedure.

---

[1] Brief of *Amici Curiae* American Civil Liberties Union of Washington and Washington Defender Association ("ACLU"); Brief of *Amicus Curiae* TeamChild; Brief of *Amicus Curiae* Seattle Young People's Project ("SYPP"); *Amicus Curiae* Brief on Behalf of the Fred T. Korematsu Center for Law and Equality ("Korematsu").

Second, all four amicus briefs focus on themes and issues tangential to the issue of whether the search in this case was permissible. Contrary to the amici's contentions, the issue here is not (1) whether school districts around the nation need to rethink discipline practices, (2) whether the SRO program is generally beneficial, (3) whether schools too often or too selectively use suspensions or expulsions, or (4) whether students who bring weapons and drugs to school should be only disciplined by school officials as opposed to being cited or arrested by a law enforcement officer. Rather, the salient issue is whether the constitution requires a distinction between school staff (whether an administrator, teacher, or school-security official) and a commissioned SRO for searches of students done to maintain order, safety, and discipline in schools.

Third, amici concede that ordinary school officials can conduct searches based on reasonable grounds, but they argue that the same search cannot be conducted by an officer working together with the school official unless there is probable cause. Because the proposed distinction between SROs and school officials does not change a student's expectation of privacy at school, because the distinction will jeopardize the safety of school officials called upon to search, and because the distinction would

diminish the effectiveness of crime-prevention programs in the schools, the arguments of amici should be rejected.

B. ARGUMENT

1. THE AMICUS BRIEFS IMPROPERLY INJECT NEW, UNTESTED FACTS AND ISSUES INTO THE RECORD AND DO NOT ADEQUATELY ADDRESS THE ISSUE OF WHETHER THIS PARTICULAR SEARCH WAS PERMISSIBLE.

Under RAP 9.1(a), the "record on review" consists of a report of proceedings, clerk's papers, and exhibits. Under RAP 13.7(a), appellate review in the Supreme Court is limited to the record on review in the Court of Appeals. RAP 9.11 permits new evidence on appeal only under very special circumstances and subject to demanding standards.

The four amicus briefs filed on December 23, 2011 have added 72 pages of briefing to this case. The briefs were accepted for filing on January 4, 2012, a mere 20 days (12 court days) before oral argument. The new material includes numerous purported sociological studies and/or collections of anecdotes. Much of this material is immaterial or suspect, and should not be relied upon by this Court.

The most egregious example is contained in SYPP's brief. In arguing that SROs should be governed by a probable cause standard, SYPP asserts that SROs routinely intimidate and harass students. SYPP, at 4-9. To support this claim, SYPP cites a "study" that it released in

December 2011, after the parties' supplemental briefs were submitted to this Court. SYPP, at 5. This "study" consisted initially of two "focus groups" of 10 anonymous female students from Seattle public schools who informally discussed with unnamed "focus group facilitators" (two law students from the University of Washington) their opinions as to unidentified SROs. See SYPP, Appendix, at 1. The rest of the "study" consisted of a November 2011 survey administered to 102 unidentified students from Seattle schools, asking about their interactions with SROs. See SYPP, Appendix, at 4-11.

Details about SYPP's methodology are scant. There is no indication that SYPP made any effort to contact SROs or other school officials to determine whether any of the survey responses were accurate. There was no attempt to delve into the surrounding circumstances of the responses. Although some participants report their contact with SROs to be negative, there is no effort to determine whether that was the SRO's fault or, rather, was due to the students' frustration at being disciplined or charged. Rather, SYPP accepts the students' survey responses at face value.

At this late stage of the proceedings, the State cannot realistically dissect this collection of anecdotes. In any event, even a cursory glance at SYPP's "study" reveals that it is a self-serving collection of unverified

anecdote that sheds no light on the issues in this case. This style of amicus brief blurs the line between empirical or fact-gathering legislative processes, and the legal analysis that this Court is called upon to perform.

The other amicus briefs likewise stray from the legal issue presented in this case and improperly introduce new and irrelevant facts into the record. For instance, in arguing that SROs should be governed by a probable cause standard, TeamChild cites statistics listing the number of suspended or expelled students from Washington schools, but it does not say whether these suspensions or expulsions were the result of school searches conducted by SROs or by some other school official. TeamChild, at 4-5. Its brief is peppered with citations to sociological studies, law review articles, and newspaper articles from around the nation, but there are precious few facts in the record that support a connection between those materials and the circumstances of this case. There is no information about the Bellevue School District, Robinswood High School, or the trends and practices of other Washington Schools.[2]

TeamChild claims that "student discipline is now predominantly addressed by zero tolerance approaches to behavior" and that students

---

[2] Robinswood High School was an "alternative" school for students with educational and behavioral difficulties. http://seattletimes.nwsource.com/html/bellevueblog/2011255210_robinswoodssuccesshardtomeasureteachersays.html. The school is now closed. The record shows very little about disciplinary policies or circumstances at the school.

daily encounter visible "crime detection equipment" such as cameras, metal detectors, tasers, and canine units. TeamChild, at 2-3, 6. Yet nowhere in this record is there any evidence that Robinswood School had a zero-tolerance policy, metal detectors, surveillance cameras, or any other crime detection equipment.

Further, TeamChild cites a Justice Policy Institute[3] and a Massachusetts study for the proposition that SROs are not trained or experienced to work effectively with students. TeamChild, at 9-10. Yet there is no suggestion in this record that Washington SROs lack training or experience. In fact, the SRO in this case had 12 years of experience working with children in the Bellevue School District and, as part of his duties, regularly met and spoke with students about problems and personal issues "such as harassment, drugs, pregnancies, abuses, truancy, [and] several different matters." CP 31; RP 38-39, 46.

The ACLU's amicus brief, too, relies on questionable studies with only tangential relevance to this case. It argues that the nationwide expansion of police in schools is a reason to apply the probable cause standard to SROs, citing various studies from outside Washington.

---

[3] The mission of the Justice Policy Institute includes "reducing the use of incarceration and the justice system . . ." and lists the American Civil Liberties Union and the National Association of Criminal Defense Lawyers as "related organizations." http://www.justicepolicy.org/index.html. This study is not an independent evaluation of the merits of SROs.

ACLU, at 15-19. For example, the ACLU cites statistics suggesting that in the last two decades student-reported incidents of violence and theft have significantly decreased. ACLU, at 16-17. This is the same period during which schools nationwide have increased the use of SROs. A natural conclusion from this statistical evidence might be that SROs contributed to the decline in school crime. Yet, the ACLU simply asserts that "studies" show that there is no "clear" evidence that SROs make schools safer, citing a single November 15, 2011 study by the aforementioned Justice Policy Institute. ACLU, at 17. Of course, it is difficult to determine the causes of crime and its abatement – school-based or otherwise – so it would be unsurprising if there was no "clear" evidence as to the cause of a drop in school crime.[4] Thus, the ACLU's counter-intuitive assertion – that SROs have not reduced crime in the schools despite the fact that crime fell after SROs came into use – is suspect.

In any event, as with the other amicus briefs, there is no realistic way for the State or the Court to vet this statistical information published and submitted on the eve of oral argument. This Court should be wary of

[4] By contrast, other studies and reports highlight the benefits of SROs in schools. See, e.g., http://www.ncdjjdp.org/cpsv/pdf_files/nij_sro_rpt.pdf; http://www.popcenter.org/responses/school_police/3; https://www.ncjrs.gov/pdffiles1/nij/grants/209273.pdf; http://www.cops.usdoj.gov/files/ric/CDROMs/SchoolSafety/Law_Enforcement/AGuidetoDevelopingMaintainingSucceeding.pdf. But again, that is not the issue in this appeal.

invitations to delve into such problematic empirical and quasi-legislative determinations, especially with so little information.

Lastly, all of the amicus briefs cite various extra-judicial sources to suggest that school searches short of probable cause have a deleterious impact on students.[5] Yet none of the amici proposes abolishing the lower school search standard. And some of the amici expressly agree that school officials – including principals, teachers, deans, coaches, or private security guards – could still search students based on reasonable grounds. See SYPP, at 16; Korematsu, at 10-12. None of the briefs address how a search conducted by a school official other than an SRO would decrease the problems – zero-tolerance, an increase in school dropouts, the impact on minority students or increasing arrests – that they identify. More importantly, none of the amicus briefs say how a search conducted by a school official other than an SRO would increase safety in schools for students, faculty, and staff or lead to enhanced privacy rights for students. Because of these critical deficiencies, these amicus briefs are deserving of little weight in determining the issues of this case.

Finally, Korematsu claims to have identified an argument that no other party or amicus has made. RAP 13.7(b) requires that the scope of

---

[5] See, e.g., SYPP, at 5-7, 9-13, Appendix; TeamChild, at 7-15; ACLU, at 16-17; Korematsu, at 13-15.

review be limited to issues "raised by the parties." RAP 12.1(a) provides that "the appellate court will decide a case only on the basis of issues set forth by the parties in their briefs." RAP 10.6(b) provides that potential amicus curiae attest to the "applicant's familiarity with the issues involved in the review and with the scope of the argument presented or to be presented by the parties." Collectively, these rules serve to ensure that the case or controversy presented to the supreme court will be limited to the issues and arguments framed by the parties in the trial and appellate process. For these reasons, an appellate court does not generally consider issues raised only by amicus curiae. 3 Wash. Prac., Rules Practice RAP 10.6 (7th ed.) (citing Citizens for Responsible Wildlife Management v. State, 149 Wn.2d 622, 71 P.3d 644 (2003); Richmond v. Thompson, 79 Wn. App. 327, 901 P.2d 371 (1995), aff'd, 130 Wn.2d 368, 922 P.2d 1343 (1996); State v. Clark, 124 Wn.2d 90, 875 P.2d 613 (1994) (overruled on different point by State v. Catlett, 133 Wn.2d 355, 945 P.2d 700 (1997)); American Home Assur. Co. v. Cohen, 124 Wn.2d 865, 881 P.2d 1001 (1994); Mains Farm Homeowners Ass'n v. Worthington, 121 Wn.2d 810, 854 P.2d 1072 (1993); see also State v. Gonzalez, 110 Wn.2d 738, 752 n.2, 757 P.2d 925 (1988); Coburn v. Seda, 101 Wn.2d 270, 279, 677 P.2d 173 (1984). To the extent that Korematsu purports to have identified a

new argument, that argument is beyond the scope of review and should not be considered for the first time in this case.

2. THIS CASE INVOLVES A CLEAR INSTANCE OF CRIMINAL BEHAVIOR IN A SCHOOL, NOT AN INSTANCE OF ELEVATING SIMPLE MISCONDUCT TO A CRIME.

Several of the amicus briefs argue that the probable cause standard should apply to SROs to curtail the "criminalization" of school misconduct formerly handled by the school alone. TeamChild claims that having police in school "transforms" the daily school experience into a "minefield" of potential crimes, decrying that taking a classmate's headphones can be classified as a "theft" and fighting can become an "assault." TeamChild, at 13-14. The ACLU cites newspaper reports of students arrested for burping or for giving "wedgies." ACLU, at 18. These citations are inapposite. This case involves unequivocally criminal behavior—a student who possessed drugs at school and who possessed a dangerous weapon. Most schools have policies of automatically reporting such criminal behavior to police. Indeed, to refrain from reporting such behavior would make schools a safe-haven for crime. And, schools are required by Washington law to report to police the possession of dangerous weapons. See RCW 9.41.280(2) (if a student possesses a dangerous weapon, including an air or B.B. gun, on school grounds, the

school "shall promptly notify law enforcement and the student's parent or guardian regarding any allegation or indication of such violation."). While amici pose interesting questions about the role of SROs in handling minor school infractions, these questions have no bearing in a case involving possession of drugs and weapons in school, and an SRO's authority to search for such items.

Korematsu asks for a return to the purported halcyon days of the 1980s when there were far fewer SROs in schools. See, e.g., Korematsu, at 13. Again, whether SROs are, in general, a benefit or a boon to schools, is an issue for legislatures and school districts; it is not a constitutional issue before this Court. Moreover, SROs exist to assist in making schools safer for students and staff.[6] It is likely that many crimes committed in schools that were formerly not reported to the police – assaultive bullying, harassment based on race, gender, or perceived sexual orientation, and sexual assaults – are now reported and prosecuted. That is sound public policy. While some minor misconduct can surely be handled as

---

[6] See, e.g., RCW 28A.300.2851: "(1) The office of the superintendent of public instruction and the office of the education ombudsman shall convene a work group on school bullying and harassment prevention to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in all public schools in Washington. The superintendent of public instruction or a designee shall serve as the chair of the work group. (2) The work group shall: . . . (f) Recommend training for district personnel who are designated as the primary contact regarding the policy and procedure and for school resource officers and other school security personnel."

"teachable moments," victims of crimes, parents, teachers, and school administrators likely welcome the presence of SROs to handle and follow-up on more serious criminal behavior. Finally, although amici cite law review and newspaper articles suggesting that crimes in schools are over-reported, local evidence is to the contrary. See, e.g., Emily Heffter, *Violence at Schools Often Goes Unreported*, Seattle Times, September 28, 2007, http://seattletimes.nwsource.com/html/localnews/2003909382-_schoolsafety28m.html (describing how violence and sexual assaults in Seattle schools go unreported to law enforcement).

Thus, the material relied upon by amici to denounce SROs is either immaterial, subject to debate, or simply inaccurate. The focus of this case should be whether distinguishing between SROs and school officials is constitutionally mandated.

3. COURTS HAVE A LOWERED THRESHOLD FOR SCHOOL SEARCHES BECAUSE OF THE NEED FOR SCHOOLS TO MAINTAIN ORDER AND SAFETY, NOT BECAUSE THE CONSEQUENCES FOR VIOLATING SCHOOL RULES ARE LOWER.

Korematsu claims that school administrators can search students based on a lower reasonable grounds standard because "students have diminished civil liberties while in the school setting and *because the consequences for violating school rules are lower.*" Korematsu, at 4 (emphasis added). This is incorrect. As discussed in the State's supplemental brief, the lower standard for school searches has little to do with the lower penalties for violating school rules. Rather, the distinction stems from the unique needs of the school setting. See, e.g., State v. McKinnon, 88 Wn.2d 75, 80-82, 558 P.2d 781 (1977).

Moreover, Korematsu's argument ignores the reality that when a student commits a crime in school, particularly crimes such as the ones in this case – drug possession and possession of a dangerous weapon – there will be *both* school disciplinary consequences *and* criminal consequences, because schools generally report crimes to the police and because the Legislature has *required* schools to report to the police any allegations of a student possessing a dangerous weapon on school grounds. RCW 9.41.280(2). Thus, to the extent that Korematsu suggests that possession of drugs or dangerous weapons in schools should be a matter of school

discipline rather than a crime, implementation of this suggestion would violate Washington law and the practice of most school districts. There is no logical reason a student should face criminal consequences for possessing drugs or weapons on the street, but only academic consequences when bringing such items to a public school. The constitution certainly does not demand that SROs be excluded from performing the same search as a teacher could perform.

4. PRINCIPALS, TEACHERS, OR COACHES SHOULD NOT BE REQUIRED TO PERFORM PATDOWNS OR NEUTRALIZE DANGEROUS WEAPONS; SROs CAN, UNDER THE CONSTITUTION, MORE SAFELY PERFORM THOSE FUNCTIONS.

As noted above, amici concede that even if there were a rule requiring SROs to obtain a warrant or show probable cause before conducting a search, this rule would not apply to teachers and principals, who would still be allowed to conduct searches under the lower reasonable grounds standard. See, e.g., SYPP, at 16; Korematsu, at 10-12. The amici assert that such a distinction would not negatively impact school safety. This assertion is mistaken. A rule that distinguishes between SROs and other school officials would have the undesirable effect of forcing teachers and other school officials, who generally are untrained in safe search procedures, to conduct a search of a student without the assistance of an SRO or other law enforcement official, or to forego a needed search

simply because probable cause does not exist. This result would not serve students' needs or the school's needs and would thwart the school's goal to maintain a secure environment for students and staff.

Although this Court has not directly addressed the issue of safety considerations for school searches, other jurisdictions have. In In re Angelia D.B., the Wisconsin Supreme Court held that school officials should be allowed a "certain degree of flexibility" to seek the assistance of law enforcement officers when faced with potentially dangerous encounters without sacrificing the more lenient and flexible reasonable suspicion standard. 211 Wis.2d 140, 160, 564 N.W.2d 682 (1997) (citing New Jersey v. T.L.O., 469 U.S. 325, 340, 105 S. Ct. 733, 83 L. Ed. 2d 720 (1985)). In that case, a high school student informed the assistant principal that he saw a knife in another student's backpack and that the student might also have a gun. The assistant principal called a commissioned officer SRO to conduct the search. Although the initial patdown of the student did not reveal a weapon, a more thorough search revealed a knife in the student's waistband. Angelia D.B., 564 N.W.2d at 690. In holding that the reasonable grounds standard applied to the SRO's search, the court reasoned that an alternative conclusion "might serve to encourage teachers and school officials, who generally are untrained in proper pat down procedures and neutralizing dangerous weapons, to

conduct a search of a student suspected of carrying a dangerous weapon on school grounds without the assistance of a school liaison officer or other law enforcement official." Id.

Similarly, in J.A.R. v. State, the Florida District Court of Appeals warned of the dangerousness of a different search standard for SROs than other school officials, stating, "It would be foolhardy or dangerous to hold that a teacher or a school administrator, who often is untrained in firearms, can search a child reasonably suspected of carrying a gun or other dangerous weapon at the school only if the teacher or administrator does not involve the school's trained resource officer or some other police officer." 689 So. 2d 1242, 1243 (Fla. Dist. Ct. App. 1997).

Similarly, in In re Josue T., the New Mexico Court of Appeals stressed the dangers of school officials other than SROs conducting searches of students. 989 P.2d 431, 433 (N.M. Ct. App. 1999). In that case, a student was brought into a school official's office on suspicion of possessing marijuana. When the official noticed a bulge in the student's pants pocket and the student would not remove his hands from his pocket, the official asked the SRO to search the student. The SRO retrieved a gun. In upholding the search, the Court cited Angelia D.B. and expressed concern that requiring probable cause would lead untrained school

officials to conduct less safe searches. Josue T., 989 P.2d at 433 (quoting Angelia D.B., 564 N.W.2d at 690).

These holdings do not violate the federal or State constitutions. Korematsu argues that the Supreme Court in T.L.O. "never intended" for the term "school official" to apply to law enforcement. Korematsu, at 3-4. This overstates the holding in T.L.O.; in fact, T.L.O. expressly left open the question whether only school administrators could search based on the lower "reasonable suspicion" standard.[7] Further, Korematsu cites Justice Powell's concurrence in T.L.O. for the proposition that T.L.O.'s decision was driven by the differences between teachers and police officers. Korematsu, at 4. This overstates the concurrence. When the concurrence noted the "special relationship" between teachers and students, the concurrence was primarily distinguishing the school setting from other settings, and using this relationship as one example. T.L.O., at 349-50 (Powell, J., concurring). The concurrence did not discuss SROs because such officers were uncommon at the time, as were school massacres and the possession of guns. Further, the concurrence stressed the importance

---

[7] Specifically, T.L.O. stated the following:

> We here consider only searches carried out by school authorities acting alone on their own authority. This case does not present the question of the appropriate standard for assessing the legality of searches conducted by school officials in conjunction with or at the behest of law enforcement.

T.L.O., at 342 n.7.

of the school setting by explaining that without maintaining discipline and order, a school cannot begin to educate students, protect pupils from mistreatment by other children, and protect teachers from violence by students. Id. at 350. The concurrence concluded that "it would be unreasonable and at odds with history to argue that the full panoply of constitutional rules applies with the same force and effect *in the schoolhouse as it does in the enforcement of criminal laws*." Id. (emphasis added). By contrasting the schoolhouse with "the enforcement of criminal laws," the concurrence was distinguishing searches in schools (which may uncover criminal violations) from searches outside of the school setting. Thus, Korematsu's reliance on the T.L.O. concurrence is unavailing.[8]

Finally, Korematsu's reliance on Fifth Amendment jurisprudence is inapt. Although officers are held to a different standard under the Fifth

---

[8] The ACLU cites Georgia as a jurisdiction that distinguishes SROs from "school officials" for purposes of the Fourth Amendment. ACLU, at 9, n.4. However, in Georgia, the Fourth Amendment exclusionary rule applies only to *law enforcement* action and not to improper searches by school officials. See State v. Young, 234 Ga. 488, 489-90, 94, 216 S.E.2d 586 (1975); State v. Scott, 279 Ga.App. 52, 55, 630 S.E.2d 563 (2006). Given this unique interpretation of the exclusionary rule, Georgia courts must distinguish SROs from school officials, or else evidence taken in illegal searches by law-enforcement SROs in schools could not be suppressed. But in Washington, the exclusionary rule applies to state actors, including school officials. See, e.g., Kuehn v. Renton Sch. Dist. No. 403, 103 Wn.2d 594, 602, 694 P.2d 1078 (1985) (school officials were state actors for purposes of Fourth Amendment and article I, section 7 when conducting general search of students' luggage); Matter of Maxfield, 133 Wn.2d 332, 337, 945 P.2d 196 (1997) (action by state actors, not just law enforcement, invokes the exclusionary rule). Thus, Georgia refuses to distinguish between SROs and school officials for reasons unique to Georgia law, not because Georgia believes that SROs should be held to a higher constitutional search standard.

Amendment than teachers and other school officials, school searches under the Fourth Amendment involve safety concerns not presented in the Fifth Amendment context. If an untrained principal or other school official conducts a search, they likely will be less adept and less successful than a trained SRO in discovering contraband or weapons. Their failure to disarm a student or identify contraband in the student's possession places other students at risk. Moreover, if these officials discover weapons, they would be faced with the immediate need to disarm a student without necessary police training to safely handle the situation. Teachers and staff should not be put in this dangerous position as failure can have tragic consequences. Interrogation poses no such dangers.

Moreover, application of the Fifth Amendment in a student interrogation setting likely has far different consequences than application of the Fourth Amendment to a school search. The Fifth Amendment requirement that an officer read students Miranda rights when they are in custody does not mean that the officer cannot obtain a statement. Students can and regularly do provide post-Miranda statements to officers. However, as noted in the State's supplemental brief, in many circumstances, a Fourth Amendment requirement that an SRO have probable cause or a warrant would preclude the SRO from *ever* conducting a search. See Respondent's Supplemental Brief, at 11. Again,

this could have dire consequences, and the school would be faced with the unacceptable choice of either having untrained officials conducting searches or foregoing a search and hoping the student did not possess contraband or weapons.

In light of the safety considerations inherent in school searches (and not present in interrogations), this Court should apply the same reasonable grounds standards to SROs as it would to any other school official charged with maintaining order and safety in schools.

C. CONCLUSION

For the foregoing reasons, the arguments of amici are without merit, and should be rejected.

DATED this 13th day of January, 2012.

Respectfully submitted,

DANIEL T. SATTERBERG
King County Prosecuting Attorney

By: _____ for:
WILLIAM L. DOYLE, WSBA #30687
Senior Deputy Prosecuting Attorney

By: _____
JAMES M. WHISMAN, WSBA #19109
Senior Deputy Prosecuting Attorney
Attorneys for Respondent
Office WSBA #91002

Certificate of Service by Electronic Mail

Today I directed electronic mail addressed to the attorneys for the petitioner, and amici, Christopher Gibson: gibsonc@nwattorney.net; David Huneryager: david.huneryager@teamchild.org; David A Perez: perez.a.david@gmail.com; Nancy Lynn Talner: talner@aclu-wa.org; Travis Stearns: stearns@defensenet.org; Kimberly Dawn Ambrose: kambrose@u.washington.edu; containing a copy of the Respondent's Consolidated Answer to Four Amicus Curiae Briefs, in STATE V. JAMAR MENEESE, Cause No. 86203-6, in the Supreme Court, for the State of Washington.

I certify under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Name

Date

Done in Seattle, Washington